

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN

FILED - MQ

May 14, 2019 2:27 PM

U.S. DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
BY: slk / scanned 45-14-19Doyle mims #838715

(Enter above the full names of all plaintiffs, including prisoner number, in this action.)

v. transport officer Stephenstransport officer perryGrievance coordinator ~~Robert~~ G. Caron

(Enter above the full name of the defendant or defendants in this action.)

2:19-cv-98

Gordon J. Quist, U.S. District Judge  
Maarten Vermaat, Magistrate JudgeCOMPLAINT

## I. Previous Lawsuits

**CAUTION: The Prison Litigation Reform Act has resulted in substantial changes in the ability of incarcerated individuals to initiate lawsuits in this and other federal courts without prepayment of the civil action filing fee. Accurate and complete responses are required concerning your litigation history. Generally, a plaintiff's failure to accurately and completely answer the questions set forth below will result in denial of the privilege of proceeding *in forma pauperis* and require you to pay the entire \$400.00 filing fee regardless of whether your complaint is dismissed.**

- A. Have you ever filed a lawsuit while incarcerated or detained in any prison or jail facility? Yes ☒ No ☐
- B. If your answer to question A was yes, for each lawsuit you have filed you must answer questions 1 through 5 below. Attach additional sheets as necessary to answer questions 1 through 5 below with regard to each lawsuit.

1. Identify the court in which the lawsuit was filed. If it was a state court, identify the county in which the suit was filed. If the lawsuit was filed in federal court, identify the district within which the lawsuit was filed.

united states District court for the western District michigan

2. Is the action still pending? Yes ☐ No ☒

a. If your answer was no, state precisely how the action was resolved: it was Dismissed

3. Did you appeal the decision? Yes ☐ No ☒

4. Is the appeal still pending? Yes ☐ No ☐

a. If not pending, what was the decision on appeal? \_\_\_\_\_

5. Was the previous lawsuit based upon the same or similar facts asserted in this lawsuit? Yes ☐ No ☒

If so, explain: \_\_\_\_\_

II. Place of Present Confinement Marquette Branch prison 1960 U.S. Hwy 41 South Marquette MI

If the place of present confinement is not the place you were confined when the occurrence that is subject of instant lawsuit arose, also list the place you were confined:

I was confined on transportation Bus During the occurrence

## III. Parties

## A. Plaintiff(s)

Place your name in the first blank and your present address in the second blank. Provide the same information for any additional plaintiffs. Attach extra sheets as necessary.

Name of Plaintiff Doyle Dayquan Mims #838715

Address Marquette Branch Prison 1960 U.S. Hwy 41 South Marquette MI 49855

## B. Defendant(s)

Complete the information requested below for each defendant in this action, including whether you are suing each defendant in an official and/or personal capacity. If there are more than four defendants, provide the same information for each additional defendant. Attach extra sheets as necessary.

Name of Defendant #1 Custody transport officer Stephens

Position or Title Custody transport officer (MDOC)

Place of Employment (MDOC)

Address unknown

Official and/or personal capacity? official and personal capacity

Name of Defendant #2 Custody transport officer Perry

Position or Title Custody transport officer (MDOC)

Place of Employment (MDOC)

Address unknown

Official and/or personal capacity? official and personal capacity

Name of Defendant #3 G. Caron

Position or Title Grievance coordinator

Place of Employment (MDOC) Marquette Branch Prison

Address 1960 U.S. Highway 41 South Marquette, MI 49855

Official and/or personal capacity? official and personal capacity

Name of Defendant #4 \_\_\_\_\_

Position or Title \_\_\_\_\_

Place of Employment \_\_\_\_\_

Address \_\_\_\_\_

Official and/or personal capacity? \_\_\_\_\_

Name of Defendant #5 \_\_\_\_\_

Position or Title \_\_\_\_\_

Place of Employment \_\_\_\_\_

Address \_\_\_\_\_

Official and/or personal capacity? \_\_\_\_\_

## IV. Statement of Claim

State here the **facts** of your case. Describe how each defendant is personally involved. Include also the names of other persons involved, dates and places. **Do not give any legal arguments or cite any cases or statutes.** If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheets if necessary.

ON 4-18-19 I was placed on the MDoc transportation Bus at Ionia max correctional facility At approximately 7:30 AM Along with inmate Clint #429375. We was transported to another prison called MTU for additional pickups of inmates. At this time I moved to the Back of the Bus. the Bus Arrived at Bellamy Creek prison Approximately at 8:00 AM, for additional pickups.

At this time I was engaged in conversation with other inmates when all of a sudden the Bus Rocked and shook very hard there was no seat Belts to prevent fall or injury, I was tossed up against the window hitting my head and neck on the window my Back was jerked Back against the hardcover seats. other inmates on the Bus at the time also sustained injuries.

At this point everyone on the Bus was confused as to the issue. upon inspection/inquiring, we was told By Stephens they had crashed the Bus, I asked transport officer if I could get medical Attention, and was told if we kept Asking transportation officer Stephens "said" "I will drive the Bus over the Bridge and drown you fuckers"

At this point me and ~~other~~ <sup>other</sup> was scared for our life, so we Resisted help needs, ~~out~~ <sup>out</sup> of fear of death. I Blanked ~~out~~ out twice, and had sharp pains and headaches to my head and neck / Back area, I gained clear head At the



St. Louis correctional facility, I again asked for medical attention hoping with other correctional officers around I wouldn't get threatened or neglected. But once again Perry told me "no" once I asked. At this point I observed Perry and Stephens taking pictures of the damage to the back of the bus with their personal phones.

I asked a couple prisoners are they allowed to just not give us any medical attention, and one told me this is considered cruel and unusual punishment and a violation of my 8th Amendment rights, my first amendment and 7th amendment rights.

I was under a lot of pain at the time which was approximately 11:00 AM. I was just able to get a couple names of the officers, it was an additional one who assisted Perry with threaten and making fun of the situation. But I wasn't able to get his name.

Once we arrived at CWF prison facility I requested medical attention and explained my situation and was again denied medical attention. For 5 days I was neglected medical attention and grievance capability. Until I was transported to Marquette Level 5 and was able to put medical notes in and also filed grievances about the issue.

## Statement of claim

I was seen by medical on 4-26-19 or 4-25-19 about my pains on this medical kite I included I had mental/PTSD stress I've been waking up ~~up~~ from nightmares, once I put the first Grievance into the ARus hands on 4-23-19 8:30<sup>am</sup> p.c. Round I received no Reply or letter to ensure it was received. I again placed another Grievance in the hands of the unit p.c. on 4-26-19 I didn't receive any Reply But I kept a copy of the 4-26-19 Grievance on 4-29-19 I sent a kite to caron asking why my Grievance isn't being answered I received no reply in this kite I asked for step 2 Grievance process to exhaust my remedies I was then sent a whole copy of my Grievance back "original" copy with a sticky note saying I had to file with URF prison in which I had no access to. I sent a kite to the coordinator and explained I'm taking this as a denial and wanted step 3 Grievance process and was again denied I took the initiative to write Lansing Grievance Director and yet to receive a reply, I still haven't seen a doctor about the medical issues Results from the accident. I'm still having continuous headaches and back pains, and is being neglected the proper attention. The Grievance coordinator is not allowing me my Due process Right, for filing my Grievance I've exhausted my Remedies far as I could. Including kiting warden and inspector

V. Relief

State briefly and precisely what you want the court to do for you.

I want transport ~~officers~~ officers to place seat belts on the transport Bus. I want each defendant in this claim be ordered to pay compensatory damages in the amount of \$250,000 and Punitive damages in the amount of \$ 500,000 against each defendant, jointly and severally

5-9-19

Date

Dayli Min

Signature of Plaintiff

NOTICE TO PLAINTIFF(S)

The failure of a *pro se* litigant to keep the court apprised of an address change may be considered cause for dismissal.





k of court.  
strict court  
ederal Building  
x 698  
ette, MI 49855

Doyle mines #838715  
Marquette Branch prison  
1960 U.S. Highway 41 south  
Marquette, MT 49855

cleve  
U.S. D  
314 Fe  
P.O. B  
marq